

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JUDICIAL WATCH, INC.,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE,

Defendant.

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Case No. 17-cv-916 (CRC)

**UNOPPOSED MOTION FOR A STAY OF BRIEFING
IN LIGHT OF LAPSE OF APPROPRIATIONS**

The United States of America hereby moves for a stay of briefing in the above-captioned case.

1. At the end of the day on December 21, 2018, the appropriations act that had been funding the Department of Justice expired and appropriations to the Department lapsed. The Department does not know when funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys and employees are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. Undersigned counsel for the Department of Justice therefore requests a stay of briefing until Congress has restored appropriations to the Department. The Department’s motion for summary judgment, including a *Vaughn* index that must be prepared by Department employees, is currently due January 18, 2019.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Government requests that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations.

5. Opposing counsel has authorized counsel for the Government to state that the plaintiff has no objection to this motion.

Therefore, although we greatly regret any disruption caused to the Court and the other litigant, the Government hereby moves for a stay of briefing in this case until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Respectfully submitted,

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MARCIA BERMAN
Assistant Director
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/s/ James Bickford
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Date: December 26, 2018

Counsel for Defendant

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Plaintiff,)	
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v.)	Case No. 17-cv-916 (CRC)
)	
U.S. DEPARTMENT OF JUSTICE,)	
)	
Defendant.)	
_____)	

[PROPOSED] ORDER

Briefing in this case is hereby **STAYED** until appropriations are restored to the Department of Justice. **SO ORDERED** this _____ day of _____, 20____.

Christopher R. Cooper
United States District Judge